

**EQC ENFORCEMENT REPORT
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
JANUARY 13, 2005**

BUREAU OF LAND AND WASTE MANAGEMENT

Solid Waste Enforcement

- 1) Order Type and Number: Consent Order 04-014-SW
 Order Date: October 29, 2004
 Respondent: **Southern Grading & Water
Management, Inc. d.b.a.
Greenworks**
 Facility: Greenworks Sites I, II, and III
 Location/Mailing Address: 115 Fairview Drive
 Greenville, SC 29609
 County: Greenville
 Previous Orders: None
 Permit/ID Number: 232701-3001, 232701-3002, 232701-3003
 Violations Cited: South Carolina Solid Waste Policy and
Management Act of 1991 (2002) (Act), 25A S.C. Code Ann. Reg.
(Regulation) (Supp. 2003) 61-107.4: E.3.c., E.3.d., E.3.e., F.11.c., and
G.1.; and, Composting Registration # 232701-3001 (Site I), Composting
Registration # 232701-3002 (Site II), and Composting Registration #
232701-3003 (Site III).

Summary: Southern Grading & Water Management, Inc. d.b.a. Greenworks (Company) owns and operates three (3) composting facilities in Greenville County, South Carolina, and has had numerous operational and registration violations since June 2003 at all three (3) sites, including, but not limited to, failure to maintain buffers, inadequate fire lanes, inadequate financial assurance, and excessive volume of unprocessed wood waste. These deficiencies constitute violations of the Regulation and of the registrations.

Action: The Company has agreed to: achieve regulatory and registration compliance within one hundred twenty (120) days from the Effective Date of the Consent Order; and, submit progress reports of the corrective actions; and, modify each site's registration within sixty (60) days of the Effective Date or terminate the registration(s). The Department has assessed a civil penalty in the amount of forty-nine thousand five hundred dollars (**\$49,500.00**); however, the Department has **suspended** the penalty due to the Company's financial circumstances. The penalty suspension shall be vacated if the Company fails to meet the requirements of the Consent Order.

- 2) Order Type and Number: Consent Order 04-01-MSWM
 Order Date: November 9, 2004
 Respondent: **Coastal Mining Company, Inc.**
 Facility: Old Field Mine
 Location/Mailing Address: 107 Ashton Cove – P.O. Box 50486
 Summerville, SC 29485

 County: Colleton
 Previous Orders: None
 Permit/ID Number: GP1-001525
 Violations Cited: South Carolina Mining Act (2002) (Act), S.C. Code
 Ann. § 48-20-55 (Supp. 2003), and Part II: Mine Operations, of the
 General Mine Operating Permit (Permit).

Summary: The Company operates the Old Field Mine (Site) in Colleton County, South Carolina, under the terms of a general mining permit, which limits mining activities to the excavation of materials that do not require further processing; however, the Company constructed and operated an on-site processing plant, in violation of the Permit.

Action: Consent Order 04-01-MSWM requires the Company to continue to comply with the Department's cease and desist order issued on September 22, 2004, until the Company has secured an individual mining permit, and to pay a civil penalty of one thousand dollars (**\$1,000.00**) to the Department within thirty (30) days of receipt of the Consent Order.

- 3) Order Type and Number: Consent Order 04-15-SW
 Order Date: November 2, 2004
 Respondent: **Berkeley County Water & Sanitation Authority**

 Facility: Berkeley County Water & Sanitation
 Authority Municipal Solid Waste
 Landfill

 Location/Mailing Address: 2277 US Highway 52, Moncks
 Corner, SC /PO Box 1090, Goose
 Creek, SC 29445

 County: Berkeley
 Previous Orders: 00-09-SW (\$10,500); 03-100-A
 (\$3,000)
 Permit/ID Number: 081001-1102
 Violations Cited: South Carolina Solid Waste Policy
 and Management Act of 1991 (2002), Municipal Solid Waste Landfills
 Regulation, 25A S.C. Code Ann. Reg. 61-107.258.21.a., 21.b., 21.c.,
 26.a.(2), 26.b., 27.a. (Supp.2003), Facility ID # 081001-1102, Special
 Condition A.1.

Summary: Berkeley County Water & Sanitation Authority (Respondent) owns and operates the Berkeley County Water & Sanitation Authority Municipal Solid Waste Landfill, located at 2277 US Highway 52 in Moncks Corner, South Carolina (Site). The Respondent has violated the South Carolina Solid Waste Policy and Management Act of 1991, the Municipal Solid Waste Landfills Regulation, and its Permit by failing to cover disposed solid waste with six (6) inches of earthen material at the end of each operating day, failing to cover disposed solid waste with alternative materials of an alternative thickness (other than at least six (6) inches of earthen material), failing to maintain an adequate quantity of acceptable earth (or approved alternate) cover for routine operations, allowing leachate seeps to occur and that they continued uncorrected, failing to handle run-off from the active portion of the Landfill unit in accordance with Regulation, and failing to operate in compliance with Section 3.3, Cover Material Requirements of its Operational Plan.

Action: The Respondent has agreed to: provide daily cover and/or alternate daily cover as required by the Regulation, the facility's Permit, and the latest approval letter for alternate daily cover, including the maintenance/stockpiling of sufficient cover soil(s) and alternate daily cover material(s) to handle daily needs; repair all leachate seeps immediately and control run-off from the active portion of the Landfill; and pay to the Department a civil penalty in the amount of fifteen thousand dollars (**\$15,000.00**). Payment of the civil penalty was received on October 25, 2004.

Underground Storage Tank Enforcement

- 4) Order Type and Number: Consent Order 04-0722-UST
Order Date: October 18, 2004
Respondent: **Southern Gas Partners, LLC, and
American Travel Plaza, LLC**
Facility: Southern Gas Partners/Williams
Travel Center
Location/Mailing Address: 2301 W. Lucas Street
Florence, S.C. 29501
County: Florence
Previous Orders: None
Permit/ID Number: 18353
Violations Cited: UST Control Regulations, R.61-92,
§280.30(a), R.61-92, §280.31(a), R.61-2, §280.44(a), R.61-2, §280.52,
R.61-92, §280.34(c).

Summary: Southern Gas Partners, LLC, located in Atlanta, Georgia, owns American Travel Plaza, LLC, located in Florence, South Carolina, which operates underground storage tanks located at 2301 Lucas Street in Florence, South Carolina. The Respondent has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure maintain the spill prevention system, failure to operate and maintain corrosion protection equipment continuously, failure to check line leak detector function annually, failure to investigate and confirm a suspected release within a reasonable time period, and failure to supply records to the Department upon request.

Action: The Respondent agreed to correct the violations and submit compliance documentation within 30 days. If the documentation is received as agreed, the Program will **suspend** the civil penalty of one thousand three hundred dollars (**\$1,300.00**).

5)	<u>Order Type and Number:</u>	Administrative Order 04-0114-UST
	<u>Order Date:</u>	June 22, 2004
	<u>Respondent:</u>	Maggie Sass
	<u>Facility:</u>	Short Stop Food Store
	<u>Location/Mailing Address:</u>	511 Howe Hall Road Goose Creek, S.C. 29445
	<u>County:</u>	Berkeley
	<u>Previous Orders:</u>	CO 02-CP-08-581 (\$8,400)
	<u>Permit/ID Number:</u>	16553
	<u>Violations Cited:</u>	UST Control Regulations, R.61-92, §280.65(a)&(b).

Summary: Maggie Sass owned and operated underground storage tanks located at 511 Howe Hall Road, Goose Creek, South Carolina. The Respondent has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to determine the full extent of a release in accordance with a schedule established by the Department and failure to provide records to the Department upon request.

Action: The Department issued an Administrative Order with a civil penalty of four thousand three hundred ninety-five dollars (**\$4,395.00**) when it became clear that the owner/operator did not intend to enter into a Consent Order or come into compliance by submitting an assessment report. The Administrative Order was appealed. However, the Respondent failed to pay or obtain a waiver of the Administrative Law Court filing fee so the appeal was not processed and the Order became final.

6)	<u>Order Type and Number:</u>	Administrative Order 03-5361-UST
	<u>Order Date:</u>	October 7, 2004
	<u>Respondent:</u>	Ridge Gas & Oil Company
	<u>Facility:</u>	Don Wilson's Exxon

Location/Mailing Address: E. Gold Street, McCormick, SC
County: McCormick
Previous Orders: None
Permit/ID Number: 10958
Violations Cited: UST Control Regulations, R.61-92, §280.65(a); R.61-92, §280.65(b).

Summary: Ridge Gas & Oil Company (Respondent), a South Carolina corporation, owned and operated underground storage tanks located at E. Gold Street, McCormick, McCormick County, SC. A release was reported at this facility on January 20, 1999. The Respondent has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to determine the full extent of a release in accordance with a schedule established by the Department and failure to submit a Tier II assessment report.

Action: The Respondent was ordered to: determine the extent of the reported release; submit a Tier II assessment report; and pay a civil penalty of twenty-eight thousand dollars (**\$28,000.00**).

7) Order Type and Number: Administrative Order 03-0143-UST
Order Date: August 4, 2004
Respondent: **Gilmer R. (Randy) Smith**
Facility: Max Saver I, Inc.
Location/Mailing Address: 1202 Fairview Road
Simpsonville, S.C. 29681
County: Greenville
Previous Orders: AO 01-1321-UST (\$1,000)
Permit/ID Number: 14673
Violations Cited: UST Control Regulations, R.61-92, §280.31(b), R.61-92, §280.40(a), §280.52, R.61-92, §280.34(c).

Summary: Gilmer R. (Randy) Smith owns and operated underground storage tanks located at 1202 Fairview Road, Simpsonville, South Carolina. The Respondent has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to inspect the cathodic protection system every three (3) years, failure to provide an adequate release detection method, failure to provide records to the Department upon request, and failure to pay annual tank registration fees.

Action: The Department issued an Administrative Order with a civil penalty of five thousand three hundred dollars (**\$5,300.00**) when it became clear that the owner/operator did not intend to enter into a Consent Order or come into compliance by providing test results and paying fees. The Administrative Order was not appealed.

- 8) Order Type and Number: Administrative Order 04-0334-UST
 Order Date: August 4, 2004
 Respondent: **Leila D. Rainwater**
 Facility: Tara Village Superette
 Location/Mailing Address: 801 Howe Springs Road
 Florence, S.C. 29501

 County: Florence
 Previous Orders: None
 Permit/ID Number: 03344
 Violations Cited: UST Control Regulations, R.61-92,
 §280.70(c), R.61-92, §280.34(c).

Summary: Leila D. Rainwater owned underground storage tanks located at 801 Howe Springs Road, Florence, South Carolina. The Respondent has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to properly abandon an underground storage tank system that has been temporarily closed for more than 12 months, and failure to provide records to the Department upon request.

Action: The Department issued an Administrative Order with a civil penalty of three thousand one hundred fifty dollars (**\$3,150.00**) when it became clear that the owner/operator delayed compliance activities. The Administrative Order was not appealed. The Respondent later properly closed the UST system and the penalty was **suspended**.

- 9) Order Type and Number: Administrative Order 04-0526-UST
 Order Date: October 8, 2004
 Respondent: **Craig Ewing**
 Facility: Chattooga River Emporium
 Location/Mailing Address: 12847 Long Creek Highway
 Long Creek, S.C. 29658

 County: Oconee
 Previous Orders: AO 03-4187-UST (\$1,000)
 Permit/ID Number: 12446
 Violations Cited: UST Control Regulations, R.61-92,
 §280.40(a), R.61-92, §280.93(a), R.61-2, §280.34(c), R.61-92,
 §280.110(c), SUPERB Act 44-2-60(A).

Summary: Craig Ewing owns and operates underground storage tanks located at 13847 Long Creek Highway in Long Creek, South Carolina. The Respondent has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure provide an adequate release detection method, failure to demonstrate financial responsibility, failure to supply release detection records and financial responsibility documentation to the Department upon request, and failure to pay annual tank registration fees.

Action: The Department issued an Administrative Order with a civil penalty of ten thousand one hundred twenty-five dollars (**\$10,125.00**) and tank registration fees of five hundred fifty dollars (\$550) when it became clear that the owner/operator did not intend to enter into a Consent Order or come into compliance by providing the release detection records and financial responsibility documentation, and paying the tank fees. The Administrative Order was not appealed.

BUREAU OF WATER

Drinking Water Enforcement

10) Order Type and Number: Consent Order 04-183-DW
Order Date: October 8, 2004
Respondent: **Perry Bumgarner**
Facility: Bumgarner's Mobile Home Park (MHP)
Location/Mailing Address: 106 Bridlewood Lane
Blythewood, S.C. 29016
County: Lexington
Previous Orders: None
Permit/ID Number: 3260033
Violations Cited: S.C. Code Ann. § 44-55-10 and S.C. Code Ann. Regs. 61-58.5(H)

Summary: Perry Bumgarner (Respondent) d/b/a Bumgarner's MHP owns and is responsible for the operation and maintenance of a public water system (PWS). The Respondent has violated the State Safe Drinking Water Act and the State Primary Drinking Water Regulations as follows: exceeded the maximum contaminant level (MCL) for combined Radium 226 and 228.

Action: The Respondent has agreed to: submit a construction application package to connect Bumgarner's MHP to the City of West Columbia water system; complete the connection within 90 days of issuance of the construction permit; and pay a **stipulated penalty** in the amount of four thousand dollars (**\$4,000.00**) if he fails to meet any requirement in this Order.

11) Order Type and Number: Consent Order 04-193-DW
Order Date: October 22, 2004
Respondent: **Melrose Utilities Company, Inc.**
Facility: Daufuskie Island Club and Resort
Location/Mailing Address: P.O. Box 23285
Hilton Head, S.C. 29925
County: Beaufort
Previous Orders: None

Permit/ID Number: 0750043
Violations Cited: S.C. Code Ann. Regs. 61-58.11(H)
and 61-58.6(E)

Summary: Melrose Utilities Company, Inc. (Respondent) is responsible for the operation and maintenance of a PWS. The Respondent has violated the State Primary Drinking Water Regulations as follows: failure to submit a lead and copper sampling site plan, failure to monitor for lead and copper during 2003, and failure to issue public notification.

Action: The Respondent has agreed to: operate and maintain the PWS in accordance with all applicable State and Federal laws and regulations; issue public notification; submit a lead and copper sampling site plan; and pay a civil penalty in the amount of two thousand eight hundred dollars **(\$2,800.00)**.

12) Order Type and Number: Consent Order 04-194-DW
Order Date: October 22, 2004
Respondent: **Robert Watford**
Facility: Watford Well Drilling
Location/Mailing Address: 1052 Pocahontas Circle
Manning, S.C. 29102
County: Clarendon
Previous Orders: 02-026-DW (\$4650)
Permit/ID Number: None
Violations Cited: S.C. Code Ann. Regs. 61-71(F)(2)(d)

Summary: Robert Watford (Respondent) d/b/a Watford Well Drilling is involved in the business of well drilling in the State of South Carolina. The Respondent has violated the Safe Drinking Water Act and the South Carolina Well Standards and Regulations as follows: failed to emplace the grout into the annular space by forced injection.

Action: The Respondent has agreed to: comply with all applicable State rules and regulations concerning well construction and permitting; and pay a civil penalty in the amount of one thousand two hundred dollars **(\$1,200.00)** in quarterly installments.

13) Order Type and Number: Consent Order 04-197-DW
Order Date: October 29, 2004
Respondent: **Robyn Barkley**
Facility: Barkley Well Drilling
Location/Mailing Address: 3815 Lorene Drive
Sumter, S.C. 29154
County: Sumter
Previous Orders: 03-158-DW (\$2,100) and
01-009-DW (\$2,800)

<u>Permit/ID Number:</u>	None
<u>Violations Cited:</u> (F)(12)(a)	S.C. Code Ann. Regs. 61-71

Summary: Robyn Barkley (Respondent) is involved in the business of well drilling in the State of South Carolina. The Respondent has violated the State Safe Drinking Water Act and the South Carolina Well Standards and Regulations as follows: failed to submit water well record forms for 203 wells.

Action: The Respondent has agreed to: comply with all applicable State rules and regulations concerning well construction and permitting; submit water well record forms in increments of 30 records per month until all forms have been received; and pay a **suspended penalty** in the amount of five thousand dollars (**\$5,000.00**) if he fails to meet any requirement in this Order.

14)	<u>Order Type and Number:</u>	Consent Order 04-199-DW
	<u>Order Date:</u>	November 4, 2004
	<u>Respondent:</u>	City of Johnsonville
	<u>Facility:</u>	City of Johnsonville Public Water System (PWS)
	<u>Location/Mailing Address:</u>	111 W. Broad Way Street Johnsonville, S.C. 29555
	<u>County:</u>	Florence
	<u>Previous Orders:</u>	None
	<u>Permit/ID Number:</u>	2110011
	<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-58.7(B)

Summary: The City of Johnsonville (Respondent) is responsible for the operation and maintenance of a PWS. The Respondent has violated the State Primary Drinking Water Regulations as follows: failure to address flow and pressure deficiencies in the rural areas.

Action: The Respondent has agreed to: operate and maintain the PWS in accordance with all applicable State and Federal laws and regulations; pay a civil penalty in the amount of three thousand six hundred dollars (**\$3,600.00**); submit a corrective action plan (CAP) to address the deficiencies listed on the December 16, 2003, sanitary survey and the January 2, 2004, Potable Water System Evaluation letter; and submit a Business Plan to address current and future needs of the PWS.

15)	<u>Order Type and Number:</u>	Consent Order 04-203-DW
	<u>Order Date:</u>	November 10, 2004
	<u>Respondent:</u>	D&M Coastal Property Management
	<u>Facility:</u>	Plantation Club Villas
	<u>Location/Mailing Address:</u>	P.O. Box 7348

<u>Previous Orders:</u>	Hilton Head, S.C. 29928
<u>Permit/ID Number:</u>	None
	07-054-1B, 07-068-1B, and
	07-068-2C
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-51(J)

Summary: D&M Coastal Property Management, L.L.C. (Respondent) is responsible for the operation and maintenance of the swimming pools located at Plantation Club Villas. The Respondent has violated the Public Swimming Pool Regulations as follows: failure to properly operate and maintain the public swimming pools.

Action: The Respondent has agreed to: operate and maintain the swimming pools in accordance with the Public Swimming Pool Regulations; and pay a civil penalty in the amount of five-thousand forty dollars (**\$5,040.00**) in quarterly installments.

16)	<u>Order Type and Number:</u>	Consent Order 04-204-DW
	<u>Order Date:</u>	November 9, 2004
	<u>Respondent:</u>	Beulah Land Institute
	<u>Facility:</u>	Beulah Land Farms of the Pan African Orthodox Christian Church
	<u>Location/Mailing Address:</u>	116 Beulah Land Farm Drive Calhoun Falls, S.C. 29628
	<u>County:</u>	Abbeville
	<u>Previous Orders:</u>	None
	<u>Permit/ID Number:</u>	None
	<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-58.1(B)(1)
		and 61-58.7(K)(1)

Summary: Beulah Land Institute (Respondent) owns and is responsible for the proper operation and maintenance of a PWS. The Respondent has violated the State Safe Drinking Water Act and the State Primary Drinking Water Regulations as follows: failed to obtain a permit to construct and failed to obtain final approval prior to operating the PWS.

Action: The Respondent has agreed to: operate and maintain the PWS in accordance with all applicable State and Federal laws and regulations; submit a construction application and an engineering report; within 15 days of project completion, obtain final approval to operate from the Upper Savannah EQC office; and pay a **stipulated penalty** in the amount of five thousand six hundred dollars (**\$5,600.00**) if it fails to meet any requirement in this Order.

17)	<u>Order Type and Number:</u>	Consent Order 04-206-DW
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Order Date: November 19, 2004
Respondent: **AAA Utilities, Inc.**
Facility: Mill Pond Subdivision
Location/Mailing Address: 3071 Hwy 6
Lexington, S.C. 29073
Previous Orders: 99-105-W (\$10,000); 02-251-DW
(\$0)
Permit/ID Number: 3250075
Violations Cited: S.C. Code Ann. Regs. 61-58.5(H)

Summary: AAA Utilities, Inc. (Respondent) is responsible for the operation and maintenance of a PWS. The Respondent has violated the State Primary Drinking Water Regulations as follows: exceeded the maximum contaminant level (MCL) for Radium 226/228 for two consecutive compliance periods.

Action: The Respondent has agreed to: operate and maintain the PWS in accordance with all State and Federal regulations; submit a CAP for approval; and pay a **stipulated penalty** in the amount of four thousand dollars (**\$4,000.00**) if it fails to meet any requirement in this Order.

18) Order Type and Number: Consent Order 04-208-DW
Order Date: November 23, 2004
Respondent: **Charlene Fludd**
Facility: Fort Motte Community Store
Location/Mailing Address: 881 Colonel Thompson Highway
Fort Motte, S.C. 29135
County: Calhoun
Previous Orders: None
Permit/ID Number: 0970912
Violations Cited: S.C. Code Ann. Regs. 61-58.5(F)(1)(b) and 61-58.7(B)(1)

Summary: Charlene Fludd (Respondent) d/b/a Fort Motte Community Store is responsible for the proper operation and maintenance of a PWS. The Respondent has violated the State Safe Drinking Water Act and the South Carolina State Primary Drinking Water Regulations as follows: exceeded the MCL for total coliform for three monitoring periods.

Action: The Respondent has agreed to: comply with all applicable State rules and regulations concerning well construction and permitting; submit a **suspended penalty** in the amount of two thousand eight hundred dollars (**\$2,800.00**) if she fails to meet any requirement in this Order; correct all deficiencies pertaining to the PWS; and submit the balance of the State Safe Drinking Water Fees in the amount of nine hundred thirty-seven dollars and fifty cents (\$937.50) in quarterly installments.

Water Pollution Enforcement

- 19) Order Type and Number: Consent Order 04-176-W
 Order Date: October 6, 2004
 Respondent: **Richard Stallings**
 Facility: Stallings Logging Company
 Location/Mailing Address: 1307 N. Silverton Street
 Jackson, S.C. 29831
 County: Aiken
 Previous Orders: None
 Permit/ID Number: N/A
 Violations Cited: S.C. Code Ann. § 48-1-90(a)

Summary: Richard Stallings (Respondent) d/b/a Stallings Logging Company is responsible for silviculture activities covering a wooded tract in excess of 100 acres adjacent to Hollow Creek. The Respondent has violated the Pollution Control Act as follows: discharged sediment into the environment.

Action: The Respondent has agreed to: develop and submit standard operating procedures (SOPs) to prevent unauthorized discharges during logging operations; require all felling machine and shoveling machine operators to attend the South Carolina Forestry Commission's Top Logger Class; and pay a civil penalty in the amount of five thousand six hundred dollars (**\$5,600.00**). The penalty has been paid.

- 20) Order Type and Number: Consent Order 04-179-W
 Order Date: October 1, 2004
 Respondent: **City of Pickens**
 Facility: 12-Mile Creek and Wolf Creek
 Wastewater Treatment Facility
 (WWTF)
 Location/Mailing Address: P.O. Box 217
 Pickens, S.C. 29671
 County: Pickens
 Previous Orders: 00-065-DW (\$8,000); 00-202-W
 (\$6,700)
 Permit/ID Number: SC0047716
 Violations Cited: S.C. Code Ann. § 48-1-110(d) and
 S.C. Code Ann. Regs. 61-9.122.41(a)(1)

Summary: The City of Pickens (Respondent) owns and is responsible for the operation and maintenance of a WWTF. The Respondent has violated the Pollution Control Act and Water Pollution Control Permit Regulations as follows:

failed to comply with the effluent limits of the National Pollutant Discharge Elimination System (NPDES) permit for fecal coliform bacteria (FC).

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations; submit a summary of corrective actions taken to ensure compliance with the NPDES permit; and pay a civil penalty in the amount of one thousand four hundred dollars (**\$1,400.00**).

21) Order Type and Number: Consent Order 04-180-W
 Order Date: October 6, 2004
 Respondent: **United Utilities, Inc.**
 Facility: Briarcreek Subdivision I
 Location/Mailing Address: P.O. Drawer 4509
 West Columbia, S.C. 29171

 County: Cherokee
 Previous Orders: 03-095-W (\$47,500) (Gem Lakes);
 01-095-W (\$7,000) (Glenn Village);
 04-083-W (\$16,000) (Pocalla); 04-
 084-W (\$5,600) (Roosevelt
 Gardens); 02-109-W (\$4,200)
 (Watergate); 02-208-W (\$7,800)
 (Canterbury); 01-165-W (\$8,000)
 (Chambert Forest); 03-227-W
 (\$1,400) (North Greenville College);
 04-051-W (\$4,200) (Trollingwood);
 02-157-W (\$8,400) (Kings Grant);
 04-112-W (\$0); (Lincolnshire); 03-
 210-W (\$4,200) (Country Oaks); 03-
 211-W (\$4,200) (Shandon)

 Permit/ID Number: SC0023736
 Violations Cited: S.C. Code Ann. § 48-1-110(d) and
 S.C. Code Ann. Regs. 61-9.122.41(a)

Summary: United Utilities, Inc. (Respondent) owns and is responsible for a WWTF. The Respondent has violated the Pollution Control Act as follows: failed to comply with the effluent limits for ammonia-nitrogen (NH₃-N) contained in the NPDES Permit.

Action: The Respondent has agreed to: develop and submit a corrective action plan (CAP) addressing compliance with NH₃-N limits; and pay a civil penalty in the amount of three thousand dollars (**\$3,000.00**).

22) Order Type and Number: Consent Order 04-181-W
 Order Date: October 6, 2004
 Respondent: **ATC Associates, Inc.**

Facility: Circle K on Bush River Road
Location/Mailing Address: 2725 E. Millbrook Road, Suite 121
Raleigh, N.C. 27604
County: Lexington
Previous Orders: None
Permit/ID Number: UST Permit 11165
Violations Cited: S.C. Code Ann. § 48-1-90(a)

Summary: ATC Associates, Inc. (Respondent) owns and is responsible for an environmental consultation business. The Respondent has violated the Pollution Control Act as follows: the Respondent's contractor discharged investigative derived wastes (IDWs) into the environment.

Action: The Respondent has agreed to: submit a summary of corrective actions taken to prevent future unauthorized discharges; and pay a civil penalty in the amount of four thousand two hundred dollars (\$4,200.00).

23) Order Type and Number: Consent Order 04-182-W
Order Date: October 6, 2004
Respondent: **Dorchester County Public Works**
Facility: Lower Dorchester WWTF
Location/Mailing Address: P.O. Box 9
Dorchester, S.C. 29437
County: Dorchester
Previous Orders: 99-024-W (\$6,875); 00-216-W (\$10,500); 02-190-W (\$8,400)
Permit/ID Number: SC0038822
Violations Cited: S.C. Code Ann. §§ 48-1-90(a), 48-1-110 (d), and S.C. Code Ann. Regs. 61-9.122.41(a)

Summary: Dorchester County Public Works (Respondent) owns and is responsible for a WWTF. The Respondent has violated the Pollution Control Act as follows: discharged wastewater into the environment and waters of the State and failed to report sanitary sewer overflows (SSOs) in accordance with the 24-hour noncompliance reporting requirement.

Action: The Respondent has agreed to: report all SSOs in accordance with the Department's SSO reporting policy; upgrade pump stations #2 and #4 in accordance with a Department-approved construction schedule; and pay a civil penalty in the amount of nineteen thousand dollars (\$19,000.00).

24) Order Type and Number: Consent Order 04-184-W
Order Date: October 8, 2004

<u>Respondent:</u>	Pickens County Public Service Commission (PSC)
<u>Facility:</u>	Liberty-Roper WWTF
<u>Location/Mailing Address:</u>	151 Clearwater Drive Liberty, S.C. 29657
<u>County:</u>	Pickens
<u>Previous Orders:</u>	Liberty-Roper 01-247-W (\$33,000); Liberty-Cramer 01-249-W (\$7,000); Liberty-Cramer 03-088-W(\$15,300); Central-North 01-250-W (\$5,600); Central-North 03-087-W (\$10,200)
<u>Permit/ID Number:</u>	SC0026191
<u>Violations Cited:</u>	S.C. Code Ann. § 48-1-110(d) and S.C. Code Ann. Regs. 61-9.122.41(a)

Summary: Pickens County PSC (Respondent) owns and is responsible for the operation and maintenance of a WWTF. The Respondent has violated the Pollution Control Act and Water Pollution Control Permit Regulations as follows: failed to comply with the effluent limits of the NPDES permit for ammonia-nitrogen (NH₃-N), chronic toxicity (CTOX), and total aluminum.

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations; submit 3 copies of plans and specifications and an application for a Permit to Construct addressing the elimination of the discharge, or a corrective action plan (CAP) including a diagnostic evaluation (DE); if the CAP/DE indicate an upgrade is required, then submit a preliminary engineering report (PER) with a schedule addressing the upgrade; and pay a civil penalty in the amount of twenty-nine thousand seven hundred dollars (**\$29,700.00**).

25) <u>Order Type and Number:</u>	Consent Order 04-185-W
<u>Order Date:</u>	October 1, 2004
<u>Respondent:</u>	United States Department of the Army
<u>Facility:</u>	St. Stephen Power Plant
<u>Location/Mailing Address:</u>	P.O. Box 940 St. Stephen, S.C. 29479
<u>County:</u>	Berkeley
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	SC0047937
<u>Violations Cited:</u>	S.C. Code Ann. § 48-1-110(d) and S.C. Code Ann. Regs. 61-9.122.41(a)(1)

Summary: The US Department of the Army (Respondent) owns and is responsible for the St. Stephen hydroelectric plant. The Respondent has violated

the Pollution Control Act and NPDES permit as follows: exceeded the permitted discharge limits for total suspended solids (TSS) and oil & grease.

Action: The Respondent has agreed to: submit a corrective action plan by November 1, 2004.

26) Order Type and Number: Consent Order 04-186-W
Order Date: October 6, 2004
Respondent: **Eurostone Company, Inc.**
Facility: Eurostone Company, Inc.
Location/Mailing Address: 9358 Old Bailes Road
Fort Mill, S.C. 29715
County: Lancaster
Previous Orders: None
Permit/ID Number: None
Violations Cited: S.C. Code Ann. § 48-1-90(a)

Summary: Eurostone Company, Inc. (Respondent) is responsible for a marble cutting business. The Respondent has violated the Pollution Control Act as follows: discharged wastewater (marble dust and water) into the environment.

Action: The Respondent has agreed to: remove the soil containing marble dust from the site; and pay a civil penalty in the amount of three thousand four hundred dollars (**\$3,400.00**) in quarterly payments.

27) Order Type and Number: Emergency Order 04-188-W
Order Date: October 18, 2004
Respondent: **Muriel Revell**
Facility: Westwood MHP
Location/Mailing Address: 639 Ascot Drive
Florence, S.C. 29501
County: Florence
Previous Orders: None
Permit/ID Number: None
Violations Cited: S.C. Code Ann. § 48-1-90(a)

Summary: Muriel Revell (Respondent) owns and is responsible for the pump station and sewer lines serving Westwood MHP. The Respondent has violated the Pollution Control Act as follows: discharged untreated wastewater into the environment creating the potential for direct human contact.

Action: The Respondent has been ordered to: lime affected areas; make the necessary repairs to the pump station; and flush the sewer lines by 4:00 pm Friday, October 22, 2004.

28) Order Type and Number: Consent Order 04-192-W
Order Date: October 14, 2004
Respondent: **Richard K. Bennett & Robert N. Parker, III**
Facility: Creekbed Heights Subdivision
Location/Mailing Address: P.O. Box 13443
Anderson, S.C. 29624
County: Anderson
Previous Orders: 04-035-W (\$33,000)
Permit/ID Number: SCR107984
Violations Cited: S.C. Code Ann. § 48-1-90(a), S.C. Code Ann. Regs. 61-9.122-26(b)(14)(x) and 72-307.B

Summary: Richard K. Bennett and Robert N. Parker, III (Respondents) are responsible for land disturbing and construction activities in the Creekbed Heights Subdivision. The Respondents have violated the Pollution Control Act and associated regulations as follows: initiated land disturbing activities prior to securing a permit; failed to comply with all permit conditions as required in its NPDES General Storm Water Permit; and discharged sediment into waters of the State.

Action: The Respondents have agreed to: install a stormwater retention pond and grass the disturbed area within 60 days; pay a civil penalty in the amount of seven thousand two hundred dollars (**\$7,200.00**); and pay a **suspended penalty** in the amount of thirty-three thousand dollars (**\$33,000.00**) if they fail to comply with any requirement in this Order.

29) Order Type and Number: Consent Order 04-189-W
Order Date: November 2, 2004
Respondent: **Hanson Aggregates Southeast, Inc.**
Facility: Sandy Flat Quarry
Location/Mailing Address: P.O. Box 8005
Athens, GA 30608
County: Greenville
Previous Orders: 00-015-W (\$7,000)
Permit/ID Number: SCG730079
Violations Cited: S.C. Code Ann. § 48-1-110(d) and S.C. Code Ann. Regs. 61-9.122.41(a)(1)

Summary: Hanson Aggregates Southeast, Inc. (Respondent) owns and is responsible for the Sandy Flat Quarry. The Respondent has violated the Pollution Control Act as follows: exceeded the permitted discharge limits for total suspended solids (TSS).

Action: The Respondent has agreed to: submit a corrective action plan addressing compliance with the limits for TSS; and pay a civil penalty in the amount of eight thousand dollars (**\$8,000.00**). The civil penalty has been paid.

30) Order Type and Number: Consent Order 04-190-W
Order Date: November 2, 2004
Respondent: **Hanson Aggregates Southeast, Inc.**
Facility: Brewer Mine
Location/Mailing Address: P.O. Box 8005
Athens, GA 30608
County: Greenville
Previous Orders: 00-015-W (\$7,000)
Permit/ID Number: SCG730286
Violations Cited: S.C. Code Ann. § 48-1-110(d) and
S.C. Code Ann. Regs. 61-9.122.41(a)(1)

Summary: Hanson Aggregates Southeast, Inc. (Respondent) owns and is responsible for the Brewer Mine, a sand mining site. The Respondent has violated the Pollution Control Act as follows: exceeded the permitted discharge limits for pH and TSS.

Action: The Respondent has agreed to: submit a standard operating procedure (SOP) for properly and effectively maintaining best management practices (BMPs) to prevent TSS violations; submit a corrective action plan addressing compliance with the limits for pH and TSS; and pay a civil penalty in the amount of eight thousand dollars (**\$8,000.00**). The civil penalty has been paid.

31) Order Type and Number: Consent Order 04-191-W
Order Date: November 2, 2004
Respondent: **Hanson Aggregates Southeast, Inc.**
Facility: Jefferson Quarry
Location/Mailing Address: P.O. Box 8005
Athens, GA 30608
County: Chesterfield
Previous Orders: 00-015-W (\$7,000)
Permit/ID Number: SCG730062
Violations Cited: S.C. Code Ann. § 48-1-110(d) and
S.C. Code Ann. Regs. 61-9.122.41(a)(1)

Summary: Hanson Aggregates Southeast, Inc. (Respondent) owns and is responsible for the Jefferson Quarry. The Respondent has violated the Pollution Control Act as follows: exceeded the permitted discharge limits for TSS.

Action: The Respondent has agreed to: submit an SOP for properly and effectively maintaining BMPs to prevent TSS; and pay a civil penalty in the amount of six thousand dollars (**\$6,000.00**). The civil penalty has been paid.

32) Order Type and Number: Consent Order 04-195-W
Order Date: November 9, 2004
Respondent: **City of Belton**
Facility: Duckworth Wastewater Treatment Facility (WWTF)
Location/Mailing Address: P.O. Box 828
Belton, S.C. 29627
County: Anderson
Previous Orders: 01-082-W (\$0)
Permit/ID Number: SC0045896
Violations Cited: S.C. Code Ann. § 48-1-110(d) and
S.C. Code Ann. Regs. 61-9.122.41(a)

Summary: The City of Belton (Respondent) owns and is responsible for the proper operation and maintenance of a WWTF. The Respondent has violated the Pollution Control Act and Water Pollution Control Permits as follows: failed to comply with the effluent discharge limits for fecal coliform bacteria and biochemical oxygen demand (BOD).

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations; submit a CAP addressing the removal of sludge from a satellite lagoon and an SOP to prevent additional violations; and pay a civil penalty in the amount of one thousand four hundred dollars (**\$1,400.00**). The civil penalty has been paid.

33) Order Type and Number: Consent Order 04-198-W
Order Date: November 23, 2004
Respondent: **City of Florence**
Facility: City of Florence WWTF
Location/Mailing Address: 180 N. Irby Street
Florence, S.C. 29501
County: Florence
Previous Orders: 00-168-DW (\$0); 02-005-W (\$0)
03-020-W (\$9,000)
Permit/ID Number: SC0045462
Violations Cited: S.C. Code Ann. § 48-1-110(d) and
S.C. Code Ann. Regs. 61-9.122.41(a)(1)

Summary: The City of Florence (Respondent) owns and is responsible for a WWTF. The Respondent has violated the Pollution Control Act as follows: exceeded the permitted discharge limit for fecal coliform bacteria.

Action: The Respondent has agreed to: submit a CAP; and pay a civil penalty in the amount of twelve thousand dollars **(\$12,000.00)**. The civil penalty has been paid.

- 34) Order Type and Number: Consent Order 04-200-W
 Order Date: November 12, 2004
 Respondent: **Palmetto Development Company North, LLC**
 Facility: Pondicherry Subdivision
 Location/Mailing Address: 5751 Augusta Road
 Greenville, S.C. 29605
 County: Greenville
 Previous Orders: 04-123-W (\$12,000)
 Permit/ID Number: SCR106196
 Violations Cited: S.C. Code Ann. § 48-1-90(a) and
 S.C. Code Ann. Regs. 61-9.122-41(a) and (e), and 61-68.E (5)(d),

Summary: Palmetto Development Company North, LLC (Respondent) is responsible for land disturbing and construction activities in the Pondicherry Subdivision. The Respondent has violated the Pollution Control Act and associated regulations as follows: failed to comply with all permit conditions as required in its National Pollutant Discharge Elimination System (NPDES) General Storm Water Permit and discharged sediment into waters of the State.

Action: The Respondent has agreed to: pay a civil penalty in the amount of six thousand two hundred fifty dollar **(\$6,250.00)**; and pay a **suspended penalty** in the amount of five thousand seven hundred fifty dollars **(\$5,750.00)** if it fails to meet any requirement in this Order. The civil penalty has been paid.

- 35) Order Type and Number: Consent Order 04-201-W
 Order Date: November 3, 2004
 Respondent: **Town of Kershaw**
 Facility: Hanging Rock Creek WWTF
 Location/Mailing Address: P.O. Box 145
 Kershaw, S.C. 29461
 County: Lancaster
 Previous Orders: 99-021-DW (\$4,050); 02-062-W
 (\$13,000)
 Permit/ID Number: SC0025798
 Violations Cited: S.C. Code Ann. § 48-1-110(d) and
 S.C. Code Ann. Regs. 61-9.122.41(a)(1) and (j)(3)

Summary: The Town of Kershaw (Respondent) owns and is responsible for a WWTF. The Respondent has violated the Pollution Control Act as follows: exceeded the permitted discharge limits for ammonia-nitrogen and TSS; and failed to submit properly completed Discharge Monitoring Reports (DMRs).

Action: The Respondent has agreed to: submit a summary of corrective actions; submit a corrective action plan; and pay a civil penalty in the amount of eleven thousand nine hundred dollars (**\$11,900.00**).

36) Order Type and Number: Consent Order 04-202-W
Order Date: November 9, 2004
Respondent: **East Richland County Public Service District**
Facility: East Richland County WWTF
Location/Mailing Address: P.O. Box 23069
Columbia, S.C. 29224-3069
County: Richland
Previous Orders: 01-181-W (\$29,600), 02-204-W (\$5,100), 03-193-W (\$5,000), 04-094-W (\$5,100)
Permit/ID Number: SC00388655
Violations Cited: S.C. Code Ann. § 48-1-110(d) and S.C. Code Ann. Regs. 61-9.122.41(a)

Summary: East Richland County Public Service District (Respondent) owns and is responsible for a WWTF. The Respondent has violated the Pollution Control Act as follows: failed to comply with the permitted discharge limit for fecal coliform.

Action: The Respondent has agreed to: submit a corrective action plan with an implementation schedule to eliminate fecal coliform violations; and pay a civil penalty in the amount of two thousand dollar (**\$2,000.00**).

37) Order Type and Number: Consent Order 04-205-W
Order Date: November 16, 2004
Respondent: **David Healan**
Facility: David Healan Hog Farm
Location/Mailing Address: 2111 Bethel Church Road
Sumter, S.C. 29150
County: Clarendon
Previous Orders: 03-116-W (\$7,200)
Permit/ID Number: ND0066150
Violations Cited: S.C. Code Ann. § 48-1-50(3) and S.C. Code Ann. Regs. 61-43.100.20.A and C, and 130.B.4

Summary: David Healan (Respondent) owns and is responsible for the proper operation and maintenance of the David Healan Hog Farm. The Respondent has violated the Pollution Control Act and The Standard for the Permitting of Agricultural Animal Facilities as follows: failed to properly dispose of manure in accordance with the terms of the applicable agricultural permit; did

not properly bury or cover dead swine as specified in his Waste Management Plan (WMP); and allowed the unauthorized discharge of waste from his waste storage pond into the environment.

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations; submit a copy of the completed updated WMP to include a ground water monitoring plan; submit a plan developed by an environmental consultant outlining an environmental assessment of the soils to include a schedule of implementation; and pay a **suspended penalty** in the amount of three thousand six hundred dollars (**\$3,600.00**) if he fails to comply with any requirement in this Order.

BUREAU OF AIR QUALITY

38) Order Type and Number: Consent Order 04-066-A
Order Date: October 18, 2004
Respondent: **Rea Contracting, LLC**
Facility: Beaufort Plant
Location/Mailing Address: 8205 Wilkerson Blvd.
Charlotte, NC 28214
County: Beaufort County
Previous Orders: None
Permit/ID Number: 9900-0034
Violations Cited: U.S. EPA 40 CFR 60.92 and S.C.
Code Ann. §48-1-90(a)

Summary: Rea Contracting (Respondent), located in Beaufort, South Carolina, operates a hot-mix asphalt plant. The Respondent has violated U.S. EPA 40 CFR 60.92 and S.C. Code Ann. §48-1-90(a) as follows: the facility failed to limit its emissions of particulate matter to less than 0.04 grains/dry standard cubic foot.

Action: The Respondent made repairs to its air pollution control device and agreed to pay a civil penalty of four thousand dollars (**\$4,000.00**). The civil penalty has been paid.

39) Order Type and Number: Consent Order 04-0667-A
Order Date: October 18, 2004
Respondent: **Giant Cement Company**
Facility: Giant Cement Company
Location/Mailing Address: 320-D Midland Parkway
Summerville, SC 29485
County: Dorchester County

Previous Orders: 00-033-HW (\$4,500); 00-082-W (\$4,500); 01-016-A (\$4,000); 02-018-A (\$9,000)
Permit/ID Number: TV-0900-0002
Violations Cited: U.S. EPA 40 CFR 63.6 and S.C. Code Ann. §48-1-90(a)

Summary: Giant Cement (Respondent), located in Harleyville, South Carolina, operates a Portland cement manufacturing facility. The Respondent has violated U.S. EPA 40 CFR 63.6 and S.C. Code Ann. §48-1-90(a) as follows: the facility failed to limit its conveyor transfer emissions to less than 10% opacity, failed to document corrective actions when the control device monitoring equipment operated outside of the established range, and failed to minimize fugitive emissions.

Action: The Respondent has agreed to implement corrective actions for control of fugitive and permitted emissions and pay a civil penalty of ten thousand dollars (**\$10,000.00**).

40) Order Type and Number: Consent Order 04-068-A
Order Date: November 2, 2004
Respondent: **Hardaway Concrete Company– Plant #2**
Facility: Hardaway Concrete Company – Plant #2
Location/Mailing Address: PO Box 4128
Columbia, SC 29204
County: Richland
Previous Orders: None
Permit/ID Number: 1900-0126
Violations Cited: S.C. Code Ann. 48-1-110(d) and South Carolina Air Pollution Control Regulation 61-62.1, Section II, Permit Requirements

Summary: Hardaway Concrete Company – Plant #2 (Respondent) operates a 120-cubic-yard-per-hour concrete batch production plant located at 423 Rabon Road in Columbia, South Carolina, designated as Plant #2. The Respondent violated State Statutes and Regulations, as follows: failure to include pressure drop ranges for its baghouse in a control device Monitoring Plan, and failure to request an operating permit for a new replacement cement silo.

Action: The Respondent has agreed to: henceforth apply for and obtain necessary permits from the Department prior to constructing, altering, or adding to any sources of air contaminants; submit a request for an operating permit for the cement silo; and pay a civil penalty in the amount of two thousand seven hundred fifty dollars (**\$2,750.00**). The penalty has been paid.

41) Order Type and Number: Consent Order 04-069-A
Order Date: November 3, 2004
Respondent: **Knight's Concrete Products**
Facility: Knight's Concrete Products
Location/Mailing Address: PO Box 3468
Summerville, SC 29484
County: Dorchester County
Previous Orders: None
Permit/ID Number: 9900-0444
Violations Cited: S.C. Code Ann. Reg. 61-62.1

Summary: Knight's Concrete Products (Respondent), located in Summerville, South Carolina, manufactures concrete blocks. The Respondent has violated S.C. Code Ann. Reg. 61-62.1 as follows: failure to obtain a construction permit from the Department prior to constructing a source of air contaminants.

Action: The Respondent has agreed to obtain a construction permit prior to constructing any source of air contaminants and pay a civil penalty of **\$2,000.00**. The penalty has been paid.

42) Order Type and Number: Consent Order 04-070-A
Order Date: November 9, 2004
Respondent: **Walterboro Veneer**
Facility: Walterboro Veneer
Location/Mailing Address: PO Box 616
Walterboro, SC 29488
County: Colleton County
Previous Orders: None
Permit/ID Number: 0740-0005
Violations Cited: S.C. Code Ann. §48-1-90(a)

Summary: Walterboro Veneer (Respondent), located in Walterboro, South Carolina, manufactures wood products. The Respondent has violated S.C. Code Ann. §48-1-90(a) as follows: failure to limit its particulate matter emissions to less than 0.6 lbs per million Btu heat input as required by its permit.

Action: The Respondent conducted repairs to the air pollution control device and has agreed to pay a civil penalty of **\$2,000.00**. The penalty has been paid.

43) Order Type and Number: Consent Order 04-071-A
Order Date: November 2, 2004
Respondent: **Coastal Concrete, Inc.**
Facility: Coastal Concrete, Inc.
Location/Mailing Address: PO Box 220

	Bluffton, SC 29910
<u>County:</u>	Dorchester
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	9900-0221
<u>Violations Cited:</u>	S.C. Code Ann. § 48-1-110(d) and
	S.C. Code Ann. § 48-1-90(a)

Summary: Coastal Concrete, Inc. (Respondent), located in Harleyville, South Carolina, owns and operates an 80-cubic-yard-per-hour truck-mix concrete batch plant. The Respondent violated its permit, as follows: exceeded its allowable visible emission limit of 20% opacity, and failed to implement dust suppression measures to control fugitive emissions on the facility's property.

Action: The Respondent has agreed to: operate such that visible emissions shall not exhibit an opacity greater than 20%; control fugitive emissions on the property by means of wet or chemical suppression; and pay a civil penalty in the amount of three thousand five hundred dollars (**\$3,500.00**). The penalty has been paid.

44)	<u>Order Type and Number:</u>	Consent Order 04-072-A
	<u>Order Date:</u>	November 2, 2004
	<u>Respondent:</u>	Vaughan Bassett Furniture Company, Inc.
	<u>Facility:</u>	Vaughan Bassett Furniture Company, Inc.
	<u>Location/Mailing Address:</u>	300 E. Grayson St Galax, VA 24333
	<u>County:</u>	Sumter
	<u>Previous Orders:</u>	None
	<u>Permit/ID Number:</u>	TV-2140-0010
	<u>Violations Cited:</u>	South Carolina Air pollution Control Regulation 61-62.1, Section II, <u>Permit Requirements</u> and S.C. Code Ann. § 48-1-110(d)

Summary: Vaughan Bassett Furniture Company, Inc. (Respondent), located in Sumter, South Carolina, manufactures wooden bedroom furniture. The Respondent violated its permit and State Statutes and Regulations as follows: failure to record daily voltage and current readings for its electrostatic precipitator; failure to record daily pressure differential readings for baghouse D; failure to record an explanation or corrective action taken for out-of-range pressure differential readings for baghouses A, B, C, D, and E; and failure to obtain required Department-issued permits prior to installing and operating a source of air contaminants.

Action: The Respondent has agreed to: address all inconsistencies with the current Title V Permit in the application for permit renewal and ensure

that the information in the application is correct; comply with all terms and conditions of Title V Permit 2140-0010 until the permit is surrendered or transferred to a new owner, or has expired without being renewed; notify the Department prior to resuming operations at the facility; and notify the Department if the facility and Title V Permit are transferred to a new owner.

- 45) Order Type and Number: Consent Order 04-073-A
Order Date: November 2, 2004
Respondent: **American Fiberglass Corporation**
Facility: American Fiberglass Corporation
Location/Mailing Address: 228 Mt. Gallant Rd
Rock Hill, SC 29730
County: York County
Previous Orders: None
Permit/ID Number: 2440-0172
Violations Cited: South Carolina Air Pollution Control
Regulation 61-62.1, Section II, Permit Requirements.

Summary: American Fiberglass Corporation (Respondent), located in Rock Hill, South Carolina, manufactures fiberglass parts. The Respondent violated South Carolina Air Pollution Control Regulations as follows: failure to apply for and obtain required Department-issued permits prior to installing and operating a source of air contaminants.

Action: The Respondent has agreed to henceforth apply for and obtain required Department-issued permits prior to installing, operating, or modifying any source of air contaminants, and pay a civil penalty in the amount of five thousand dollars **(\$5,000.00)**. The penalty is due in four equal monthly payments by March 2, 2005.

- 46) Order Type and Number: Consent Order 04-074-A
Order Date: November 2, 2004
Respondent: **Precision Lawn and Care Services, Inc. d/b/a Precision Landscaping, Inc.**
Facility: Precision Lawn and Care Services, Inc. d/b/a Precision Landscaping, Inc.
Location/Mailing Address: PO Box 25682
Lexington, SC 29072
County: Lexington
Previous Orders: None
Permit/ID Number: None
Violations Cited: South Carolina Air Pollution Control
Regulation 61-62.2, Prohibition of Open Burning

Summary: Precision Lawn and Care Services, Inc., d/b/a Precision Landscaping, Inc. (Respondent), is a landscaping company. The Respondent violated South Carolina Air Pollution Control Regulations for open burning as follows: burned trade waste of a recurring nature, and burned yard trimmings that did not originate onsite.

Action: Respondent has agreed to: henceforth cease open burning, except as provided by South Carolina Air Pollution Control Regulations; and pay a civil penalty in the amount of three thousand five hundred dollars (**\$3,500.00**). The penalty is due December 2, 2004.

47) Order Type and Number: Consent Order 04-075-A
Order Date: November 3, 2004
Respondent: **Removal and Abatement Technologies**
Facility: Removal and Abatement Technologies
Location/Mailing Address: PO Box 1230
Augusta, GA 30903
County: Aiken and Edgefield Counties
Previous Orders: None
Permit/ID Number: Contractor License Number ASB-66
Violations Cited: U.S. EPA 40 CFR 61.145 and S.C. Code Ann. Reg. 61-86.1, Section IV and V

Summary: Removal and Abatement Technologies, Inc., (Respondent), located in Augusta, Georgia, is a licensed asbestos abatement contractor. The Respondent has violated U.S. EPA 40 CFR 61.145 and S.C. Code Ann. Reg. 61-86.1, Sections V, as follows: failure to notify the Department of an asbestos abatement project. The respondent also violated S.C. Code Ann. Reg. 61-86.1, Section IV, as follows; failed to ensure each worker possessed a valid training certificate and asbestos worker's license; failed to construct an appropriate decontamination enclosure system; and allowed regulated asbestos-containing material to accumulate on the floor of the work area.

Action: The Respondent has agreed to submit timely notifications for asbestos projects, ensure asbestos workers are properly trained and licensed, remove asbestos containing materials before they accumulate in the work area, and pay a civil penalty of fifteen thousand dollars (**\$15,000.00**). The penalty is due in three equal monthly payments by February 3, 2005.

48) Order Type and Number: Consent Order 04-076-A
Order Date: November 9, 2004
Respondent: **U.S. Army Training Center and Fort Jackson**

Facility: U.S. Army Training Center and Fort Jackson
Location/Mailing Address: Fort Jackson, SC 29207
County: Richland
Previous Orders: None
Permit/ID Number: 1900-0116
Violations Cited: U.S. EPA Regulations 40 CFR 61.145(a), 61.145(b)(3)(i), and 61.145(c); and South Carolina Air Pollution Control Regulations 61-86.1, Section III.A.1. and 2., Section IV.B.2. and B.5., Section XIII.B.1. and B.1.a., and Section V.B.1.a. and V.D.

Summary: The U.S. Army Training Center and Fort Jackson (Respondent) is a military installation. The Respondent violated Federal and State Asbestos Regulations as follows: failure to provide written notice at least 10 working days prior to beginning removal of regulated asbestos-containing material (RACM) and prior to beginning demolitions; failure to include an asbestos survey for each building to be demolished; failure to pay project fees; failure to obtain asbestos project licenses; failure to use workers licensed by the Department; failure to adhere to work practice requirements for an asbestos project involving RACM; failure to thoroughly inspect for the presence of asbestos prior to the commencement of renovations at family housing units; and failure to ensure that a licensed asbestos building inspector performed the asbestos survey.

Action: The Respondent has agreed to: henceforth provide written notice of intent to remove RACM or to demolish prior to beginning an asbestos project at any regulated building or structure; obtain an asbestos project license prior to beginning an asbestos project; include an asbestos survey with each notice of intent to demolish; include project fees in the correct amount with each notice of intent to remove RACM or to demolish; ensure that no workers engage in an asbestos project involving RACM unless licensed by the Department; ensure that a licensed asbestos building inspector performs a valid asbestos survey prior to beginning renovation or demolition of any regulated building or structure; and pay a civil penalty in the amount of twenty thousand dollars (\$20,000.00). The penalty is due February 7, 2005.

49) Order Type and Number: Consent Order 04-077-A
Order Date: November 16, 2004
Respondent: **ET Construction Company, Inc.**
Facility: ET Construction Company
Location/Mailing Address: PO Box 2137
Ridgeland, SC 29936
County: Jasper County
Previous Orders: None
Permit/ID Number: None

Violations Cited:

S.C. Code Ann. Reg. 61-62.2

Summary: ET Construction Company, Inc. (“Respondent”), located in Ridgeland, South Carolina, is a land-clearing contractor. The Respondent has violated S.C. Code Ann. Reg. 61-62.2 as follows: burning land-clearing debris within 1000 feet of a public roadway at two different locations.

Action: The Respondent has agreed to cease open burning except in accordance with State regulations and pay a civil penalty of three thousand five hundred dollars (**\$3,500.00**). The penalty is due in three monthly payments by February 16, 2005.

50) Order Type and Number: Consent Order 04-078-A
Order Date: November 16, 2004
Respondent: **Milliken & Company**
Facility: Magnolia Finishing Plant
Location/Mailing Address: 157 Milliken Rd.
Blacksburg, S.C. 29702
County: Cherokee
Previous Orders: 99-174-W (\$7,500)
Permit/ID Number: 0600-0007
Violations Cited: S.C. Code Ann. Reg. 61-62.70.5,
Permit Applications

Summary: Milliken & Company (Respondent), located in Blacksburg, South Carolina, owns and operates a textile dyeing and finishing plant. The Respondent has violated S.C. Code Ann. Reg. 61-62.70.5, Permit Applications as follows: Milliken failed to submit a complete application for renewal of its Title V operating permit at least six months prior to the expiration date of its Permit.

Action: The Respondent has agreed to comply with the terms and conditions of its expired Permit until such time as the Department has taken a final permit action on its application for a renewal Title V permit; and to submit to the Department an interim Title V compliance certification within forty-five days after the effective date of a final permit action regarding the renewal application.

51) Order Type and Number: Consent Order 04-079-A
Order Date: November 16, 2004
Respondent: **Holcim (US) Inc.,**
Facility: Holly Hill Facility
Location/Mailing Address: PO Box 698
Holly Hill, SC 29059
County: Orangeburg
Previous Orders: 03-029-W (\$4,200)
Permit/ID Number: 1860-0005

Violations Cited: U.S. EPA Regulation 40 CFR 60.8(a), Subpart A, General Provisions, 40 CFR 63, Subpart OOO, Standards of Performance for Nonmetallic Mineral Processing Plants, and S.C. Code Ann. §48-1-110(d).

Summary: Holcim (US) Inc. (Respondent), located in Holly Hill, South Carolina, operates a portland cement manufacturing facility. The Respondent has violated U.S. EPA Regulation 40 CFR 60.8(a), Subpart A, General Provisions; 40 CFR 63, Subpart OOO, Standards of Performance for Nonmetallic Mineral Processing Plants; and S.C. Code Ann. §48-1-110(d) as follows: the Respondent failed to conduct initial performance tests for opacity for its Bucket Wheel Excavator no later than 180 days after initial start-up, as required.

Action: The Respondent has agreed to: conduct initial performance tests for mining equipment in accordance with the schedule and conditions established by its Permit and the applicable regulations; and pay a civil penalty in the amount of two thousand eight hundred dollars (**\$2,800.00**). The penalty is due December 16, 2004.